

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
LETTERS PATENT APPEAL NO. 147 OF 1998

Mrs. Neeta A. Presswala

.. Appellant

Vs.

Dr. Rasik A. Patel & Anr.

... Respondents

None

for

Appellant

&

Respondent.

CORAM

:

F.I.

REBELLO

&

ANOOP

V.

MOHTA,JJ.

DATED

:

AUGUST

12,

2004

P.C.

:

1. None present for the Appellant when the matter is called out. The appellant seeks to challenge the interim order dated 18.11.1997 passed in Writ Petition No. 5492 of 1997. At the time of admitting the Appeal on 13.8.1998 the learned appellate Bench noted that considering the reasons recorded in the order of the appellate court while granting partial interim injunction of the operation of the order passed by the learned Single Judge granting interim relief against appellant is stayed till the appeal is decided.

2. Perusal of the cause title of the petition would show that it was preferred under Article 227

of the Constitution of India. If that be so, no L.P.A. would be maintainable against the final order. If appeal against final order is not maintainable, then there is no question of granting appeal in so far as interim relief is concerned.

In the light of that, appeal dismissed. Interim relief granted earlier, stands vacated.

(F.I. REBELLO,J.)

(ANOOP V. MOHTA,J.)